

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#3

In re Patent Application of)	MAIL STOP PCT
Philippe CHENEVIER et al.)	Group Art Unit:
Application No.: 10/530,052)	Examiner:
Filed:)	Confirmation No.: 5521
For: SPHEROIDS, PREPARATION)	
METHOD THEREOF AND)	
PHARMACEUTICAL COMPOSITIONS)	
National Phase of Int'l Appln. No.)	
PCT/2003/002909)	
Int'l Filing Date: October 3, 2003)	
Earliest Priority Date: October 4, 2002)	

FIRST INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure as set forth in 37 C.F.R. § 1.56, the accompanying information is being submitted in accordance with 37 C.F.R. §§ 1.97 and 1.98. Applicants are submitting a Form PTO-1449 listing documents for consideration by the Examiner. These documents were cited in the International Search Report (provided herewith in English attached to the English translation of PCT/FR2003/002909) or are English-language counterparts of documents cited in the ISR. Also enclosed is an English-language translation of the International Preliminary Examination Report (IPER).

Pursuant to 37 C.F.R. § 1.98, a copy of each of the documents cited is enclosed. However, copies of the listed U.S. patents are not enclosed since it is no longer required according to the July 11, 2003 waiver of the requirement for copies of cited U.S. patents and U.S. patent application publications in national patent applications filed after June 30, 2003 and international applications entering the national stage under 35 U.S.C. § 371 after June 30, 2003.

This statement, Form PTO-1449 and cited documents are being submitted within three (3) months of the filing or entry of the national stage of this application or before the first Office Action on the merits, whichever is later. Since these documents are being filed within the time period set forth in 37 C.F.R. § 1.97(b), no fee or statement is required.

Several of the documents listed on the accompanying Form PTO-1449 are not in English. The following remarks are offered with respect to the non-English documents.

WO 02/19991 does not have an English-language counterpart and applicants do not have an English translation. However, an English-language abstract (which includes a patent family search) is provided to serve as a brief statement of relevance. The English-language ISR and IPER also serve as brief statements of relevance of this document.

WO 99/26608 corresponds to Debregeas et al. U.S.P. 6,077,544, which is cited to serve as an English translation. The English-language ISR and IPER also serve as brief statements of relevance of the French-language international publication.

EP 0 217 778 A2 corresponds to Baudier et al. U.S.P. 4,832,958, which is cited to serve as an English translation. The English-language ISR and IPER also serve as brief statements of relevance of the French-language European patent publication.

It is respectfully requested that the Examiner consider this statement and cited references and that an Examiner-initialed copy of the accompanying Form PTO-1449 be returned to the undersigned.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date August 4, 2005

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**FIRST
INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet

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of

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Application Number

10/530,012

Filing Date

April 4, 2005

First Named Inventor

Philippe CHENEVIER et al.

Examiner Name

Attorney Docket Number

017753-205

U.S. PATENT DOCUMENTS

Examiner Initials	Document Number	Kind Code (if known)	Name of Patentee or Applicant of Cited Document	Issue/Publication Date (MM-DD-YYYY)
	4,832,958		Baudier et al.	05-23-1989
	6,077,544		Debregeas et al.	06-20-2000

FOREIGN PATENT DOCUMENTS

Examiner Initials	Document Number	Kind Code (if known)	Country	Date of Publication (MM-DD-YYYY)	STATUS						
					Translation	Partial Translation	Eng. Lang. Summary	Search Report	IPER	Abstract	Cited in Spec
	02/19991	A1	WO	03-14-2002				X	X	X	X
	99/26608	A1	WO	06-03-1999	X			X	X		X
	99/26626	A1	WO	06-03-1999				X	X		
	96/01624	A1	WO	01-25-1996				X	X		X
	0 217 778	A2	EP	04-08-1987	X			X	X		
	0 195 476	A2	EP	09-24-1986				X	X		

NON-PATENT LITERATURE DOCUMENTS

Examiner Initials	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.

Examiner Signature

Date Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with M.P.E.P. § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.